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| APPLICATION NO.                                       | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/881,353  | 06/12/2001  | Farhad Mohit         | BIZ/01-0003         | 8754             |
| 22874   | 7590        | 03/28/2008           |                     |                  |
| GANZ LAW, P.C.<br>P O BOX 2200<br>HILLSBORO, OR 97123 |             |                      | EXAMINER            |                  |
|   |             |                      | CASLER, TRACI       |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 3629                |                  |
|   |             |                      | MAIL DATE           | DELIVERY MODE    |
|   |             |                      | 03/28/2008 PAPER    |                  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

09/881,353

**Applicant(s)**

MOHIT ET AL.

**Examiner**

Traci L. Casler

**Art Unit**

3629

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-59 and 64-67 is/are pending in the application.
- 4a) Of the above claim(s) 60-63 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-59 and 64-67 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

### **DETAILED ACTION**

This action is in response to papers filed on December 3, 2007.

Claims 1-59 and 64-67 are pending.

Claims 60-63 are withdrawn.

Claim 1-59 and 64-67 are rejected.

#### ***Claim Rejections - 35 USC § 112***

1. Claim 33 recites the limitation "the content provider" in the last line. There is insufficient antecedent basis for this limitation in the claim.

#### ***Double Patenting***

2. Applicant is advised that should any of the independent claim be found allowable, the remaining independent claims within the same statutory class will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-59 and 64-67 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,581,065 Rodkin Dynamic Insertion and Updating of Hypertext Links for Internet Servers. Hereinafter referred to as Rodkin, in view of US Patent 5, 822, 539 vanHoff. System for Adding Requested Document Cross References to a Document by Annotation Proxy Configured to Merge and a Directory Generator and Annotation Server. Hereinafter referred to as van Hoff.

5. As to claims 1, 20, 22, 27, 33, 45, 48-49, 53-54, 59 and 64-67 Rodkin teaches:

6. A system, method and apparatus for generating annotation instructions in a system comprising a content provider computer system, a central computer system, and a client computer system, the method comprising:

7. in an electronic content document retrievable from a content provider computer system storing content documents, embedding code executable by a client computer to invoke the central computer system to recognize key elements based on key elements contained in a key- element list; **See Fig 4 Ref C. 14 I. 52-64 \_**

8. recognizing key elements in the document based on the key elements in the key-element list; and **See C. 11 I. 29-31,**

9. generating annotation instructions for the client computer system to create one or more annotations for one or more key elements in the content document and sending the instructions to the client computer system.

10. Rodkin teaches generating annotation instructions (C. 14 I. 45-51) but fails to teach the client computer creating the annotations. However, van Hoff teaches the annotation proxy being on the client computer. (C. 4 I. 22-25 I. 43-46). It would have

been obvious to one of ordinary skill in the art at the time of invention to combine the annotation proxy of van Hoff with Rodkin as van Hoff teaches that the annotation proxy can be executed on any linked.(c. 4 I. 23-25). \*\*\*\*the examiner notes for the sake of advancing prosecution the examiner has given patentable weight and applied art to the limitation of creating annotations by the client computer, however, the applicant has failed to positively recite the client computer actually performing the step of creating the annotation.

11. As to claims 2-4, 30-32 and 57-58 Rodkin teaches the code being embedded by the central computer (C. 13 I. 11-15 I. 27-50). However, Rodkin fails to teach the code being embedded by the content server and the client server. It would have been obvious to one skilled in the art at the time of invention to make a simple substitution of the known structural elements in the art (client computer and content computer) with Rodkin as they would have yielded predictable results.

12. As to claims 5, 34, 47 and 50 Rodkin teaches a master annotation database(key list) that has words and phrases suitable for forming queries(C. 13 I. 52-55 C. 15 I. 10-13)

13. As to claims 6-9, 21, 35-38, 52 and 55 Rodkin teaches the annotation database list(key element list) being used to associate hypertext of quotes to initiate by the decision filter the to retrieve(query) the website URL for stock quotes(product information) C. 16 I 16-26).

14. As to claims 10-13, 23-25, 39-42 and 59 Rodkin teaches the information on the target document with mean to gather further information(click on "Dow Jones" and goest

to website for Dow Jones.), wither in the annotation corresponds to a URL(C. 17 l. 50-55). The examiner further notes that Rodkin does not explicitly teach the target document "associated" with means for making an online purchase, this limitation is broad and can be interpreted in various different ways. For the purpose of prosecution, when the URL is a stock quote website it would be obvious to one of ordinary skill to combine a purchase means with a stock quote so as to allow consumers the ability to purchase a stock if it is a good price. It would be advantageous to allow the user to purchase the stock immediately as it is know in the financial industry that stock prices are continuously changing and very volatile.

15. As to claims 14-15 and 43-44 Rodkin teaches obtaining data(data object) via search engine based on destination filter and linked character strings(annotation). Rodkin fails to teach the specific type of data or what the objection comprises, however it would have been obvious to one of ordinary skill in the art at the time of invention to combine retrieving any type of data that the user wishes to receive so as to not eliminate any type of industry in which the search could be performed.

16. As to claims 16-19 and 29, 31 Rodking teaches the central computer recognizing and sending annotation instructions to create a hyper link using key elements(C. 13 l. 51-56).

17. As to claims 26, 28, 46 and 50-51 Rodkin teaches the central computer having code to annotate and recognize, however fails to teach the client computer having such code. However, van Hoff teaches the client computer having code for the annotation proxy and the annotation directory(used to recognized key words and phrases). It

would have been obvious to one skilled in the art at the time of invention to combine van Hoff's client annotation proxy serv'r/directory with Rodkin as van Hoff teaches the annotation proxy server being capable of being used on any connected computer system.

18. As to 56 Rodkin teaches the server as a content server Fig. 4 Ref. 410.

***Response to Arguments***

19. Applicant's arguments with respect to claim 1-59 and 64-67 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. "Content Ratings and Other Third-Party Value-added Information Defining an Enabling Platform. D. Lib August 1995.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Traci L. Casler whose telephone number is 571-272-6809. The examiner can normally be reached on Monday-Thursday 6:00 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 571-272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3629

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Traci L Casler/  
Examiner, Art Unit 3629

/John G. Weiss/  
Supervisory Patent Examiner, Art Unit 3629